

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
BERIAM ORTIZ,

Index No.: 07 CIV
10365

Plaintiff

NOTICE OF APPEARANCE

v.

ERIN KATHLEEN BARLOW, TOYOTA MOTOR CREDIT,
CORP. AND CAROL SHERMAN,

Defendants
-----x

Defendant, Carol Sherman, hereby appears in this
action by the undersigned attorney, John R. Marquez of the
Law Firm of Eustace & Marquez.

Dated: White Plains, New York
May 16, 2008

Yours, etc.,
EUSTACE & MARQUEZ
Attorneys for Defendant
Carol Sherman
Eustace & Marquez
1311 Mamaroneck Avenue
3rd Floor
White Plains, New York 10605
(914) 989-6650

By: 
John R. Marquez - 3632

TO: Jay S. Hausman & Associates, PC.
Attorneys for Plaintiff,
Beriam Ortiz
280 North Central Avenue
Hartsdale, New York 10530

Loretta J. Hottinger, Esq.
Attorneys for Co-Defendant,
Erin Kathleen Barlow
17 State Street, 25th Floor
New York, New York 10004

London Fischer, LLP
Attorneys for Co-Defendant,
Toyota Motor Credit Corp.
59 Maiden Lane
New York, New York 10038

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BERIAM ORTIZ,

Index No.: 07 CIV
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Plaintiff

v.

AFFIDAVIT OF SERVICE

ERIN KATHLEEN BARLOW, TOYOTA MOTOR CREDIT,
CORP. AND CAROL SHERMAN,

Defendants

-----x

STATE OF NEW YORK)
 ss.
COUNTY OF WESTCHESTER)

Linda McKeiver, being duly sworn, deposes and says:

1. That I am over the age of eighteen years and not a party
to this action.

2. That on May 16, 2008, I served upon:

Jay S. Hausman & Associates, PC.
Attorneys for Plaintiff,
Beriam Ortiz
280 North Central Avenue
Hartsdale, New York 10530

Loretta J. Hottinger, Esq.
Attorneys for Co-Defendant,
Erin Kathleen Barlow
17 State Street, 25th Floor
New York, New York 10004

London Fischer, LLP
Attorneys for Co-Defendant,
Toyota Motor Credit Corp.
59 Maiden Lane
New York, New York 10038


a true copy of the annexed **NOTICE OF APPEARANCE** by
depositing it endorsed in a postpaid properly addressed
wrapper, in a post office or, official depository under the
exclusive care and custody of the United States Postal
Service within the State of New York, at the address

designated by him or her upon the last paper served by him or her in the action.

DATED: May 16, 2008
White Plains, New York


Linda McKeiver

Sworn and subscribed
before me on May 16, 2008


Notary Public
NOTARY PUBLIC, State of New York
No. 01CO8144616
Qualified in Westchester County
Commission Expires April 24, 2010

Index No.: 07 CIV 10365

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BERIAM ORTIZ,

Plaintiff

-against-

ERIN KATHLEEN BARLOW, TOYOTA MOTOR CREDIT, CORP. AND
CAROL SHERMAN,

Defendants

NOTICE OF APPEARANCE

EUSTACE & MARQUEZ
Attorneys for Defendant
Carol Sherman
Office and Post Office Address
1311 Mamaroneck Avenue
3rd Floor
White Plains, New York 10605
(914) 989-6650

EXHIBIT “A”

5. When my vehicle was struck in the rear I was not stopped, but moving forward in slow moving traffic.

6. At the time I heard the initial sound made by car(s) crashing somewhere behind me, I was not stopped, but moving forward in slow moving traffic.

7. After my vehicle was struck I exited my car and observed the vehicle that struck mine. The driver was a barefooted woman.

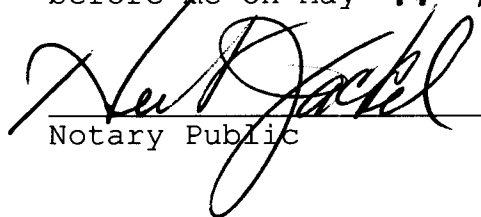
8. I also observed the driver of the vehicle that struck the vehicle behind mine.

9. The driver of that vehicle stated she was looking at her atlas and did not see the vehicle in front of her.

10. I understand from my attorneys, Eustace & Marquez that this Affidavit will be used in a motion seeking dismissal of this lawsuit against me and I support such a motion.


Carol Sherman

Sworn and subscribed
before me on May 14, 2008


Notary Public

